

21 C.J.S. Courts § 178

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Courts

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VI. Rules of Adjudication, Decisions, and Opinions

A. Principles of Adjudication

§ 178. Application of law

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When rendering decisions, courts must apply the governing principles of law, regardless of whether the parties cite them, but not in a mechanical manner.

A court deciding a case must find the facts, declare the law, and apply it to the facts.¹ When rendering decisions, courts must look beyond the particular case to the governing principle and apply it to the facts² regardless of extraneous influences.³ The court is not in a position to choose between public policy choices when the law unambiguously addresses the question before it,⁴ and a court may not disregard a controlling legal standard in favor of some other legal rule⁵ as a court's exercise of discretion must be within existing legal norms.⁶ Public policy is not determined by a court's generalized concepts of fairness and justice or determination of what might be most just in a particular case;⁷ instead, courts must look to the constitution, statutes, and judicial decisions.⁸ Treatises are not binding on a court; rather, the court is bound by principles of statutory interpretation and its prior decisions.⁹

A court must apply the controlling law regardless of whether either party cites or relies on it.¹⁰ A court need not base its decision on a rule whose nonexistence is apparent on the face of things merely because the parties agree that it exists.¹¹ The court retains the independent power to identify and apply the proper construction of the governing law,¹² and the parties cannot compel a court to misconstrue a statute by arguing only incorrect interpretations of it.¹³

Although the basic principle of justice is that like cases should be decided alike,¹⁴ legal principles should not be applied in a formulaic manner.¹⁵ A court will not permit form to override substance¹⁶ or procedural technicalities to defeat fairness and justice.¹⁷ On the other hand, a court may not rely on its own sympathies as the basis for a judicial decision.¹⁸

A court may extend or limit a judicially created doctrine.¹⁹ A doctrine that has reached a point of obsolescence may be discarded,²⁰ and the rule itself should not be applied if the reason for it no longer exists.²¹ Furthermore, when the principle of law from which a corollary arises is no longer valid, a court must hold that the corollary also is inoperative.²²

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Footnotes

- 1 Colo.— *People v. Matheny*, 46 P.3d 453 (Colo. 2002).
- 2 Cal.— *In re Kline's Estate*, 138 Cal. App. 514, 32 P.2d 677 (2d Dist. 1934).
S.C.—*Spillers v. Griffin*, 109 S.C. 78, 95 S.E. 133 (1918).
- 3 N.D.— *Sweeney v. Sweeney*, 2005 ND 47, 693 N.W.2d 29 (N.D. 2005).
- 4 Minn.— *Poehler v. Cincinnati Ins. Co.*, 874 N.W.2d 806 (Minn. Ct. App. 2016).
- 5 Colo.— *Borer v. Lewis*, 91 P.3d 375 (Colo. 2004).
- 6 Colo.— *Borer v. Lewis*, 91 P.3d 375 (Colo. 2004).
- 7 Iowa—*Claude v. Guaranty Nat. Ins. Co.*, 679 N.W.2d 659 (Iowa 2004).
- 8 Iowa—*Claude v. Guaranty Nat. Ins. Co.*, 679 N.W.2d 659 (Iowa 2004).
Nev.—*All Star Bonding v. State*, 119 Nev. 47, 62 P.3d 1124 (2003).
Tenn.—*Purkey v. American Home Assur. Co.*, 173 S.W.3d 703 (Tenn. 2005).
- 9 Minn.— *State Farm Mut. Auto. Ins. Co. v. Lennartson*, 872 N.W.2d 524 (Minn. 2015).
- 10 Tenn.—*City of Memphis v. International Broth. of Elec. Workers Union, Local 1288*, 545 S.W.2d 98 (Tenn. 1976).
- 11 U.S.— *U.S. Nat. Bank of Oregon v. Independent Ins. Agents of America, Inc.*, 508 U.S. 439, 113 S. Ct. 2173, 124 L. Ed. 2d 402 (1993).
- 12 U.S.— *U.S. Nat. Bank of Oregon v. Independent Ins. Agents of America, Inc.*, 508 U.S. 439, 113 S. Ct. 2173, 124 L. Ed. 2d 402 (1993);  *Kamen v. Kemper Financial Services, Inc.*, 500 U.S. 90, 111 S. Ct. 1711, 114 L. Ed. 2d 152, 19 Fed. R. Serv. 3d 401 (1991).
Del.— *VantagePoint Venture Partners 1996 v. Examen, Inc.*, 871 A.2d 1108 (Del. 2005).
Mont.— *Leichtfuss v. Dabney*, 2005 MT 271, 329 Mont. 129, 122 P.3d 1220 (2005).

- 13 Or.— *PacifiCorp v. City of Ashland*, 89 Or. App. 366, 749 P.2d 1189 (1988).
- 14 U.S.— *Martin v. Franklin Capital Corp.*, 546 U.S. 132, 126 S. Ct. 704, 163 L. Ed. 2d 547 (2005).
- 15 U.S.— *Droeger v. Welsh Sporting Goods Corp.*, 541 F.2d 790 (9th Cir. 1976).
- 16 Fla.— *McGee v. State*, 438 So. 2d 127 (Fla. 1st DCA 1983).
- 17 Fla.— *McGee v. State*, 438 So. 2d 127 (Fla. 1st DCA 1983).
- La.—*Gilcrease v. Gilcrease*, 438 So. 2d 658 (La. Ct. App. 2d Cir. 1983), writ denied, 442 So. 2d 461 (La. 1983).
- Ohio— *Svoboda v. City of Brunswick*, 6 Ohio St. 3d 348, 453 N.E.2d 648 (1983).
- 18 U.S.—  *U.S. v. Walker*, 514 F. Supp. 294, 60 A.L.R. Fed. 734 (E.D. La. 1981).
- 19 Minn.— *Phipps v. Clark Oil & Refining Corp.*, 396 N.W.2d 588 (Minn. Ct. App. 1986), judgment
aff'd,  408 N.W.2d 569 (Minn. 1987).
- 20 N.M.— *State ex rel. Gesswein v. Galvan*, 1984-NMSC-025, 100 N.M. 769, 676 P.2d 1334 (1984).
- 21 U.S.—*Hampton v. U.S.*, 575 F. Supp. 1180 (W.D. Ark. 1983).
- Me.— *Pendexter v. Pendexter*, 363 A.2d 743 (Me. 1976).
- Public policy may change**
- Md.— *Wholey v. Sears Roebuck*, 370 Md. 38, 803 A.2d 482 (2002).
- Overruling precedent, see § 194.
- 22 Pa.—*Evasovich v. Com., Unemployment Compensation Bd. of Review*, 80 Pa. Commw. 395, 471 A.2d 921 (1984).